

REMARKS

Claims 1-3 are amended. Claims 5-13 are added. Claims 1-3 and 5-13 are pending in the present application. Applicant reserves the right to pursue the original claims and other claims in this and other applications

Claims 2 and 3 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Reissue Patent No. RE 37,170 ("Kurosu"). Applicant respectfully traverses this rejection.

Claims 2 and 3 depend from claim 1.

Kurosu discloses "a disc tray loading mechanism" as applied to "a disc player of what is called an automatic changing type in which a plurality of compact discs are enclosed and one of the compact discs is selected and the reproduction is executed." Col. 5, lines 15-19. The Kurosu device has "a slide tray which is slidably supported into the chassis 4 by the tray supporting projections 5." Col. 6, lines 2-4; Figs. 5-6. Kurosu also discloses that "11 denotes a clamping arm whose rear edge portion is supported to a rear left corner of the slide tray 7 and which extends to the right oblique front side." Col. 6, lines 29-31; Figs. 5-6.

The Kurosu device does not have an optical pickup unit "located between a rotation center of said disk tray and said front panel of said main body when said frame is drawn into said main body," as recited in claim 1. Rather, Kurosu has a clamping arm that is fixed to the rear corner of the slide tray. Claims 2 and 3 depend from claim 1. Since Kuroso does not disclose all the limitations of claim 1, the reference does not anticipate claims 2 and 3. Accordingly, Applicant respectfully requests that the 35 U.S.C. § 102(e) rejection of claims 2 and 3 be withdrawn.

Claim 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,400,669 ("Lee") in view of Kurosu. Applicant respectfully traverses this rejection.

As discussed above, Kurosu does not teach or suggest all the limitations of claim 1. Lee discloses "a recording medium ejecting apparatus by which a loading tray can be automatically moved for loading and unloading of a disk with respect to a thin and small optical disk drive." Col. 3, lines 8-12. Lee does not teach or suggest "a disk tray for mounting a plurality of disks," much less one "wherein an optical pick-up portion of said optical pick-up unit is located between a rotation center of said disk tray and said front panel of said main body when said frame is drawn into said main body," as recited in claim 1.

Moreover, the prior art provides no motivation to combine Lee with Kurosu nor is there any motivation to modify either of the references to obtain the claimed invention. The art of the Lee invention differs entirely from that of the Kurosu invention. The disk drive of Lee is a thin and small disk drive, employed in a notebook computer, for example. By contrast, the Kurosu device is a large multi-disk drive. The two references disclose disk drives for different purposes.

The objective of Lee's thin and small optical disk drive is to provide a recording medium discharging apparatus by which the loading tray can be automatically moved for loading and unloading of the disk. By contrast, the object of Kurosu's large multi-disk drive is to provide a disk tray loading mechanism wherein the "shock upon completion of the pull-in of the tray can be reduced [and] a shock sound due to the collision of the disk tray and the member on the casing side for restricting the pull-in position of the disc tray is eliminated." Col. 15, lines 58-62. The objectives of the Lee reference differ entirely from those of Kurosu and since the disk drives of Lee and Kurosu serve different purposes. One of ordinary skill in the art would not have been motivated to combine them.

Since the output terminal of a multi-disk drive is necessarily provided on the rear side of the main body, it takes a long time for the optical pickup unit to move a disc into a reproducing position. The object of the claimed invention is to reduce the time required for movement of the pickup. Neither Kurosu nor Lee teach or suggest this objective. Thus, the references differ entirely from the claimed invention and one of ordinary skill in the art would not have been motivated to modify the references to obtain the claimed invention.

Claims 5-13 should be allowable along with claim 1 and for other reasons.

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

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